

01/18/02  
J1046 U.S. PTO  
01/18/02

PATENT

Case Docket No. AVANIR.079RX

Date: January 17, 2002

Page 1

**ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231**

J1046 U.S. PTO  
10/052698  
01/18/02

Sir:

Transmitted herewith for filing is the reissue application of

Inventors: **Richard Alan Smith and Jonathan M. Licht**

For: **DEXTROMETHORPHAN AND AN OXIDASE INHIBITOR FOR  
TREATING INTRACTABLE CONDITIONS**

Enclosed are:

- Preliminary Amendment;
- A copy of U.S. Patent No. 5,863,927, as originally issued, including the specification, claims, and drawings as required;
- Reissue Application Declaration by the Assignee;
- Reissue Application Consent of Assignee;
- Statement Under 37 C.F.R. §3.73(b);
- Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney;
- Offer to Surrender Under 37 C.F.R. §1.178;
- This application qualifies for Small Entity Status;
- Return prepaid postcard;
- A check in the amount of \$370.00 to cover the filing fee is enclosed;
- The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

  
Mark R. Benedict  
Registration No. 44,531  
Attorney of Record

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**STATEMENT UNDER 37 C.F.R. §3.73(b)**

Applicant/Patent Owner: **Center for Neurologic Study, La Jolla, California**

Patent Number: **5,863,927**

Date Issued: **January 26, 1999**

Title: **DEXTROMETHORPHAN AND AN OXIDASE INHIBITOR FOR TREATING INTRACTABLE CONDITIONS**

Center for Neurologic Study, a not-for-profit foundation, states that it is the assignee of the entire right, title, and interest in the patent identified above by virtue of an assignment from the inventors of the patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 9068, Frame 0121.

Full name person signing: **Richard Alan Smith**

Signature Richard Alan Smith

Date 11/9/02

Title: DIRECTOR

**OFFER TO SURRENDER**  
**37 C.F.R. §1.178**

**ASSISTANT COMMISSIONER FOR PATENTS:**

The undersigned applicant of the accompanying reissue application for the reissue of letters Patent No. 5,863,927 for an improvement in **DEXTROMETHORPHAN AND AN OXIDASE INHIBITOR FOR TREATING INTRACTABLE CONDITIONS**, granted on **January 26, 1999** to Smith et al., hereby offers to surrender said letters patent.

  
Richard Alan Smith

119102  
Date

01-23-02

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## BOX REISSUE

Assistant Commissioner for Patents  
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### CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Attorney Docket No. : AVANIR.079RX

Applicants : Smith, et al.

For : DEXTROMETHORPHAN AND AN  
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Attorney : Mark R. Benedict

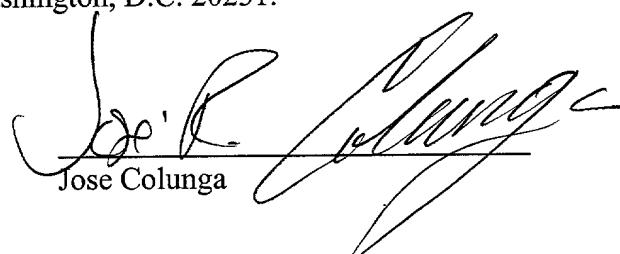
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I hereby certify that the accompanying

Transmittal letter; Preliminary Amendment in 3 pages; Copy of U.S. Patent No. 5,863,927 in 11 pages; Reissue Application Declaration by the Assignee in 2 pages; Reissue Application Consent of Assignee in 1 page; Statement Under 37 C.F.R. §3.73(b) in 1 page; Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney in 2 pages; Offer to Surrender in 1 page; Small Entity Statement; Check for Filing Fee in the amount of \$370.00; Return Prepaid Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Jose Colunga

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